

Mid-Pacific Region

San Joaquin River Restoration Program

The San Joaquin River is a prominent and important feature of California's Central Valley. Originating high in the Sierra Nevada Mountains, the San Joaquin River carries snowmelt from mountain meadows to the valley floor before turning north and becoming the backbone of tributaries draining into the San Joaquin Valley. It is California's second longest river and discharges to the Sacramento-San Joaquin Delta and ultimately to the Pacific Ocean through the San Francisco Bay.

In 1945, Reclamation completed construction of Friant Dam on the San Joaquin River – an initial feature of the Central Valley Project (CVP). Friant Dam was designed to divert most of the river water supplies to about one million acres of highly productive farmland along the eastern portion of the San Joaquin Valley. Operation of the dam ceased flow in some portions of the river that ultimately led to the loss of salmon runs in the San Joaquin River upstream from its confluence with the Merced River.



In 1988, a coalition of environmental groups, led by the Natural Resources Defense Council (NRDC), filed a lawsuit challenging the federal defendants' compliance with the National Environmental Policy Act and the Endangered Species Act in connection with their renewal of the long-term water service contracts between the United States and the CVP Friant Division contractors. Through amended complaints, the plaintiffs subsequently included a claim asserting that the federal defendants must operate Friant Dam/Millerton Lake in accordance with California Fish and Game Code section 5937 that requires the owner or operator of any dam in California to

allow sufficient water to flow through or around the dam in order to keep the downstream fishery in "good condition."

In 2004, a federal judge ruled that Reclamation was required to comply with the State law requiring enough water be released to sustain downstream fish populations, but the court did not determine how much water would be needed to satisfy the state law. Rather, the court set the case for a trial in February 2006 to determine the amount of releases. With the uncertainty of how a judge might order a remedy for the river, new negotiations began during the summer of 2005.

On September 13, 2006, after more than 18 years of litigation, the Settling Parties (NRDC, Friant Water Users Authority (FWUA), and the U.S. Departments of the Interior and Commerce reached agreement on the terms and conditions of a Stipulation of Settlement (Settlement) on the lawsuit *NRDC, et al., v. Kirk Rodgers, et al.* It was subsequently approved by Federal Court on October 23, 2006.

The Settlement's two primary goals are:

- Restoration Goal – To restore and maintain fish populations in "good condition" in the main stem of the San Joaquin River below Friant Dam to the confluence of the Merced River, including naturally reproducing and self-sustaining populations of salmon and other fish.



- **Water Management Goal** – To reduce or avoid adverse water supply impacts to all of the Friant Division long-term contractors that may result from the Interim Flows and Restoration Flows provided for in the Settlement.

Implementation

The San Joaquin River Restoration Program (SJRRP) was established to implement the Settlement. The “Implementing Agencies” responsible for the management of the Settlement include Reclamation, United States Fish and Wildlife Service, National Marine Fisheries Service, and the California Department of Water Resources and Department of Fish and Game.

Federal participation in the SJRRP is authorized under the San Joaquin River Restoration Settlement Act (Act), part of the Omnibus Public Land Management Act of 2009, Public Law 111-11. The Act, signed by the President in March 2009, authorizes and directs the Secretary to fully implement the Settlement. Interim Flow releases started on October 1, 2009, and the upper San Joaquin River was reconnected to the Sacramento-San Joaquin Delta in March 2010, a stretch of roughly 330 miles - a circumstance that has not occurred in more than 60 years with the exception of flood flow releases. With three years of experimental Interim Flows now complete, critical information continues to be gathered on channel capacity and flow constraints in the river channels and what will be needed for the reintroduction of salmon.



In April 2011, the Draft Program Environmental Impact Statement/Report was publically released evaluating the direct, indirect, and cumulative effects of implementing the Settlement consistent with the Act. The document presented the program-level or “first tier” of analysis for a reasonable range of alternatives by considering the broad environmental effects of the SJRRP. In 2012, the final Program EIS/R was released in July, and the Record of Decision selecting the preferred alternative was signed in September.

For the next few years, Program activities will focus on continuing Interim Flow releases and data collection activities. Program staff will continue shallow groundwater monitoring and working closely with landowners to address potential seepage concerns related to Interim Flows and future Restoration Flows. The Arroyo Canal Fish Screen and Sack Dam Fish Passage Project and the Friant-Kern Canal Capacity Restoration Project will be the first two projects to start construction in 2013, followed by two major channel improvement projects that will begin construction in 2015, allowing for higher flows and the reintroduction of salmon into the river.

For More Information:

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